

MIGRATORY WORKERS

*Exchange of notes at México March 10, 1947, supplementing agreement of March 10, 1947*¹

Entered into force March 10, 1947; effective April 9, 1947

*Terminated October 15, 1947*²

61 Stat. 4106; Treaties and Other
International Acts Series 1858

The American Ambassador to the Secretary of Foreign Affairs

No. 675

MEXICO, D.F., March 10, 1947

EXCELLENCY:

I have the honor to refer to the supplementary agreement reached by representatives of the United States and Mexican Governments as a result of the conferences held in Mexico City between January 27 and February 4, 1947, on the subject of the return to Mexico of illegal Mexican entrants into the United States, and their possible engagement by American employers as agricultural workers in the United States. The document setting forth this supplementary agreement has been duly signed in duplicate originals and is now in possession of the competent authorities of both governments.

I am directed to inform Your Excellency that my government approves the above mentioned document which, for the sake of clarity is quoted below:

"In conference in the City of Mexico, Federal District, in the Conference Room of the Ministry of Foreign Relations, Messrs. William G. MacLean, representative of the Department of State; Ugo Carusi, Commissioner of the Immigration and Naturalization Service of the Department of Justice; Albert del Guercio, District Director of the Immigration and Naturalization Service in the District of Southern California; Maurice L. Stafford, Consul General of the United States of America, in representation of the American Embassy, and Harry F. Brown, observer for the Labor Office of the Department of Agriculture, who form the Delegation of the United States of America; and the members of the "Interdepartmental Commission in Charge of Affairs Related to the Emigration of Mexican Workers", created by decree dated January 17,

¹ TIAS 1857, *ante*, p. 1219.

² Pursuant to notice of termination given by Mexico Oct. 15, 1947.

1947, published in Official Register no. 20, January 24, 1947, Messrs. Licenciado Benito Coquet, *Oficial Mayor of Gobernación*; Doctor Alfonso Guerra, *Oficial Mayor of Foreign Relations*, and Licenciado J. Jesus Castorena, *Oficial Mayor of Labor and Social Welfare*, technically advised for this occasion by Messrs. Arcadio Ojeda García, Head of the Department of Migration; Manuel Aguilar, Director General of the Consular Service, and Engineer Jorge Medellín, Head of the Department of General Security and Social Welfare of the Ministry of Labor, who form the Mexican Delegation:

"FIRST: As an annex to the memorandum of this date, the United States Delegation has advised that a considerable number of the Mexican workers found illegally in the United States presently are employed in the State of Texas.

"SECOND: The Mexican Delegation, in view of the statement to which the preceding point refers, considers that it is confronted with a factual situation which was not created by the Government of Mexico, but which it is desirable to solve in benefit to the Mexican workers. Consequently it is disposed to recommend to its Government that, as an exceptional measure, it authorize the contracting of these workers in order that they may continue to lend their services in the State of Texas, on the understanding that this attitude will not constitute a precedent nor can it be invoked in the future, since the Government of Mexico remains firm in its determination not to permit, under the protection of existing conventions, that persons of Mexican nationality be contracted to work in States of the United States in which there may exist discrimination against Mexicans, a problem which, on the other hand, in so far as Texas is concerned, seems to be on the road to a favorable solution, in view of the repeated proofs of friendship and of good will which the Honorable Beaufort Jester, Governor of said State, has shown towards Mexico.

"THIRD: The resolutions which fall under this additional memorandum are subject to the same treatment mentioned in the tenth recommendation of the document of which this is an annex."

"Delegation of the United States

WILLIAM G. MACLEAN

MAURICE L. STAFFORD

Mexican Delegation

BENITO COQUET

J. JESÚS CASTORENA

MANUEL AGUILAR

ALFONSO GUERRA

ARCADIO OJEDA G.

JORGE MEDELLÍN"

I am requested to state also that, while my government is ready to comment informally as to the practicability of any contract proposed by the Mexican

Government covering the terms of employment between United States employers and Mexican agricultural workers, my government cannot be a party to any contracts made or provide policing for the fulfillment of such contracts, as made clear in the discussions between the representatives of the two governments. The workers will have, however, the usual remedies or recourses available to residents in the United States in the same field of employment.

I also wish to point out to Your Excellency that my government considers the present supplementary agreement as distinct and independent of that entered into between our two governments in connection with the recruitment of agricultural workers by representatives of the United States Department of Agriculture in the sense that the first has to do with contractual relations between Mexican laborers and United State employers, whereas the second has to do with contractual relations between Mexican laborers and the United States Government.

If, for its part, Your Excellency's Government likewise approves the above quoted supplementary agreement, I propose to Your Excellency that this note and the reply to it constitute the exchange of notes contemplated in the agreement of January 31, 1947.³

Please accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

WALTER THURSTON

His Excellency

Señor Don JAIME TORRES BODET,
Secretary of Foreign Relations,
Mexico, D.F.

The Secretary of Foreign Affairs to the American Ambassador

[TRANSLATION]

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MEXICO, D.F., *March 10, 1947*

EXCELLENCY:

I have the pleasure of referring to Your Excellency's kind note No. 675 of March 10, 1947, which reads word for word as follows:

[For text of U.S. note, see above.]

In this connection I am happy to inform Your Excellency that the Government of Mexico accepts the above-quoted proposal and is in accord with the remarks, also quoted above, on the participation of United States authorities in the drafting and execution of individual work contracts, and in particular the fact that it is United States employers who will hire the

³ TIAS 1857, *ante*, p. 1219.

agricultural workers, with no question of contractual relations between the latter and the Government of the United States.

I take pleasure in renewing to Your Excellency the assurances of my highest and most distinguished consideration.

JAIME TORRES BODET

His Excellency

WALTER THURSTON

*Ambassador of the United States of America,
México, D.F.*